IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1484 OF 2006
IN
SUIT NO.5009 OF 2000

Satyendra B. Singh ....Plaintiff
V/s.
Rallis India Ltd. & Ors. ....Defendants

Ms.Shobhana Gopal for the Plaintiff.

CORAM : S.J. VAZIFDAR, J.
DATED : 17TH JULY, 2007.

P.C. :

1. By this Notice of Motion, the reliefs under Order XXXVIII Rule 5 of C.P.C. have been sought. The suit is filed for recovery of the amounts due which are based on an alleged illegal termination of services of the Plaintiff by Defendant No.3.

2. There is nothing whatsoever on record which remotely suggests that the Defendants are seeking to dispose of their properties with a view to defeat or delay any decree that may be passed. None of the requirements under Order XXXVIII Rule 5 of C.P.C. are satisfied.

3. In the circumstances, the Notice of Motion is dismissed.